

**Maine Revised Statutes**  
**Title 32: PROFESSIONS AND OCCUPATIONS**  
**Chapter 86: POLYGRAPH EXAMINERS ACT**

**§7365. CONFIDENTIALITY OF POLYGRAPH EXAMINATION RESULTS AND RELATED RECORDS**

**1. Disclosure prohibited.** A polygraph examiner, intern or employee of a polygraph examiner may not disclose information acquired from a polygraph examination, or records resulting from a polygraph examination, to another person other than:

A. The subject of the examination; [2013, c. 316, §3 (NEW); 2013, c. 316, §5 (AFF) .]

B. Any other person specifically designated in writing by the subject of the examination; [2013, c. 316, §3 (NEW); 2013, c. 316, §5 (AFF) .]

C. A member or agent of the department that licenses a polygraph examiner or law enforcement agency that supervises or controls a polygraph examiner's activities; [2013, c. 316, §3 (NEW); 2013, c. 316, §5 (AFF) .]

D. Another polygraph examiner in private, professional consultation; or [2013, c. 316, §3 (NEW); 2013, c. 316, §5 (AFF) .]

E. The Department of Health and Human Services pursuant to section 7361, subsection 1, paragraph F. [2013, c. 316, §3 (NEW); 2013, c. 316, §5 (AFF) .]

[ 2013, c. 316, §3 (NEW); 2013, c. 316, §5 (AFF) .]

**2. Further disclosure prohibited.** A polygraph examiner or other person to whom information acquired from a polygraph examination is disclosed under subsection 1 may not further disclose the information or records.

[ 2013, c. 316, §3 (NEW); 2013, c. 316, §5 (AFF) .]

**3. Examination records.** Notwithstanding any other provision of law, the pre-test, in-test and post-test records associated with the administration of a polygraph examination that is administered for preemployment screening purposes or in association with a law enforcement investigation are confidential for the purposes of Title 1, chapter 13 and are not subject to compulsory legal process or otherwise discoverable or admissible in evidence in any civil action unless the confidentiality is expressly waived, in writing, by the subject of the examination. For purposes of this subsection, "records" includes, but is not limited to, video and audio recordings, graphs and examination results.

[ 2013, c. 316, §3 (NEW); 2013, c. 316, §5 (AFF) .]

**4. Records in custody of commissioner.** Records in the custody of the commissioner pursuant to this chapter are confidential if those records contain:

A. Personal medical information of an applicant or licensee under this chapter; or [2013, c. 316, §3 (NEW); 2013, c. 316, §5 (AFF) .]

B. Personally identifying information of a minor to whom a polygraph examination has been administered. [2013, c. 316, §3 (NEW); 2013, c. 316, §5 (AFF).]

[ 2013, c. 316, §3 (NEW); 2013, c. 316, §5 (AFF) .]

#### SECTION HISTORY

2013, c. 316, §3 (NEW). 2013, c. 316, §5 (AFF).

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